IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO.472 OF 2006

.....

OFFICE NOTES, OFFICE MEMORANDUM OF CORAM, APPEARANCES, COURT'S ORDERS OR DIRECTIONS AND REGISTRAR'S ORDERS	COURT'S OR JUDGES ORDERS

.....

Mr G.S. Godbole for the Appellants.
Mr P.G. Lad for the Respondent.

CORAM : A. S. OKA, J.
DATE : APRIL 28, 2006.

P.C.:

1. Heard the Advocates appearing for the parties. The Appeal is by the original Defendants. Reference was made to the Agricultural Lands Tribunal during the pendency of the suit for deciding plea of tenancy raised by the Appellants. The reference was answered against the Appellants.

2. The contention of the learned Advocate appearing for the Appellants is that the Trial Court decided the suit without waiting for outcome of the Appeal which was preferred by the Appellants for challenging the order passed in the reference. The perusal of the judgment of

the Appellate Court shows that even the Appeal preferred by the Appellants was decided against the Appellants and the order of the Tribunal has attained finality. As the Appellants have failed to prove the plea of tenancy, decree has been passed. No substantial question of law arises. Second Appeal is dismissed. No orders as to costs.

JUDGE